

214 an agreement:

215 (A) entered into in accordance with Title 11, Chapter 13, Interlocal Cooperation Act
216 with all the other municipalities or counties whose area is included in the service area;

217 (B) to provide the services described in Subsection (3)(a)(i); and

218 (C) at the time a resolution proposing the creation of the service area is adopted by
219 each applicable municipal or county legislative body in accordance with Subsection
220 17B-1-203(1)(d).

221 (b) (i) Each county whose unincorporated area, whether in whole or in part, is included
222 within a service area described in Subsection (3)(a), whether in conjunction with the creation of
223 the service area or by later annexation, shall appoint one member to the board of trustees.

224 (ii) Each municipality whose area is included within a service area described in
225 Subsection (3)(a), whether in conjunction with the creation of the service area or by later
226 annexation, shall appoint one member to the board of trustees.

227 (iii) Each member appointed by a county or municipality under Subsection (3)(b)(i) or
228 (ii) shall be an elected official of the appointing county or municipality, respectively.

229 (iv) A vote by a member of the board of trustees may be weighted or proportional ~~§~~ → [if the
230 ~~same voting distribution was agreed to in the agreement described in Subsection (3)(a)(iii)] ← ~~§~~ .~~

231 (c) Notwithstanding Subsection 17B-1-302(2), the number of members of a board of
232 trustees of a service area described in Subsection (3)(a) shall be the number resulting from the
233 application of Subsection (3)(b).

Legislative Review Note
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Office of Legislative Research and General Counsel